

House Bill 1315

By: Representatives Amerson of the 9<sup>th</sup>, Reece of the 27<sup>th</sup>, Stephens of the 164<sup>th</sup>, Houston of the 170<sup>th</sup>, and Bridges of the 10<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 3-6-21.1 of the Official Code of Georgia Annotated, relating to licensing of farm wineries to engage in retail and wholesale sales and surety bonds and excise taxes related to such licensing and sales, so as to provide for retail sales and shipments of wine by a farm winery to certain residents of this state who have registered in person with the farm winery and placed an order in person or by telephone call or facsimile transmission; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 3-6-21.1 of the Official Code of Georgia Annotated, relating to licensing of farm wineries to engage in retail and wholesale sales and surety bonds and excise taxes related to such licensing and sales, is amended by striking subsection (b) and inserting in lieu thereof the following:

"(b)(1) The commissioner may authorize any licensee which is a farm winery to sell its wine and the wine of any other Georgia farm winery licensee at retail in:

(A) In a tasting room or other facility on the premises of the winery for consumption on the premises and in closed packages for consumption off the premises and to sell its wine and the wine of any other Georgia farm winery licensee at retail for;

(B) For consumption on the premises and in closed packages for consumption off the premises in tasting rooms at five additional locations in the state but; and

(C) For shipment by the farm winery to the residence within this state of any natural person who has registered with the farm winery in person on its premises, certified to the farm winery that he or she is at least 21 years of age and a resident of this state, and subsequently placed an order for such shipment in person at the farm winery or by telephone call or facsimile transmission to the farm winery; provided, however, that a

farm winery shall not sell to any one natural person or ship to any one residence more than 45 liters of wine per year pursuant to this subparagraph.

(2) Sales by a farm winery shall be authorized under paragraph (1) of this subsection only if the annual production of wine by the farm winery is made in Georgia from at least the following percentages of Georgia grown agricultural products during the years of production provided below:

~~(1)~~(A) First-year production: Ten percent from Georgia grown berries, fruits, or grapes

~~(2)~~(B) Second-year production: Twenty percent from Georgia grown berries, fruits, or grapes

~~(3)~~(D) Third-year production: Thirty percent from Georgia grown berries, fruits, or grapes

~~(4)~~(D) Fourth-year production and thereafter: Forty percent from Georgia grown berries, fruits, or grapes"

## SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.